

Memorandum



Date: February 21, 2006

Agenda Item No. 8(o)(1)(A)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Approval to Award Contract SS6196-3/25; Pratt and Whitney Support Plan

RECOMMENDATION

This item is presented to the Board of County Commissioners (Board) for approval of this contract with Pratt and Whitney, Canada for the purchase of a support plan for emergency air rescue helicopters. The plan provides "power-by-the-hour" warranty and parts support for Pratt and Whitney engines installed on the fleet of four Bell 412 helicopters operated by the Miami-Dade Fire Rescue Air Rescue Team. Approval of this contract also requires Board approval to waive various County affidavits and to approve the affidavits listed below as modified.

CONTRACT NO: SS6196-3/25

CONTRACT TITLE: Pratt & Whitney Support Plan

DESCRIPTION: To establish a contract for the purchase of Power-by-the-hour warranty and OEM parts support program for the Pratt & Whitney engines installed on the fleet of Bell 412 helicopters operated by the Miami-Dade Fire Rescue Department's Air Rescue Team.

TERM: Five years with three, 5 year options-to-renew

CONTRACT AMOUNT: \$5,500,000 for a five year term

PREVIOUS CONTRACT ALLOCATION: \$743,375 per year or \$3,716,875 for a five year term

USING/MANAGING AGENCIES AND FUNDING SOURCES: Miami-Dade Fire Rescue Department – General Funds

METHOD OF AWARD: Sole Source

VENDOR RECOMMENDED FOR AWARD: Pratt and Whitney Canada

CONTRACT MEASURES:	None
LIVING WAGE:	The Living Wage does not apply.
USER ACCESS PROGRAM (UAP):	The contract includes the 2% User Access Program provision. The User Access Program discount will be collected.
LOCAL PREFERENCE:	Not applicable
CONTRACT MANAGER:	Rogelio E. Anasagasti, Sr. Procurement Contracting Officer Department of Procurement Management. Chief David Brooks Miami-Dade Fire Rescue Department
ESTIMATED CONTRACT COMMENCEMENT DATE:	The effective date of this contract will be 10 days after expiration of the Mayoral veto period and completion of the period stipulated for reconsideration of the approval by the Board of County Commissioners.

BACKGROUND

At January 24, 2006 Board of County Commissioners' meeting, the Department of Procurement Management (DPM) requested to have this item [Sub-item 1.1; Pratt & Whitney Support Plan] bifurcated from the bid waiver package until all issues associated with County required affidavits were resolved. This item is back before the Board and is ready for approval.

The County is in need of a replacement contract to provide warranty and parts support for Air Rescue helicopters. The MDFR Air Rescue Program includes Trauma, Emergency Medical Service and Fire Rescue operations and is a vital public safety program. The County uses Bell 412 helicopters which are well suited for smaller landing zones in urban, suburban, and rural areas of the County. Pratt & Whitney, a Canadian corporation, currently supplies the engines used in the four County Bell 412 Air Rescue Helicopters. As the original equipment manufacturer, Pratt & Whitney is the sole source for warranty and parts support. Staff negotiated a sole source contract with Pratt & Whitney Canada which will result in the following additional benefits to the County:

- Consumables and freight costs will be billed at an hourly rate
- Increased level of airframe coverage will allow the County to replace a worn engine with a new one rather than a rebuilt engine
- Inclusion of the User Access Program provision

During negotiations, P&W disclosed that due to their corporate charter, rules and regulations, the company was unable to comply with the County's vendor registration requirements, or accept County required affidavits in their current form. Staff discussed the issues with Pratt & Whitney's legal counsel and reviewed each registration requirement, including affidavits,

required by the County. Seven County affidavits (listed below) could be modified to suit Pratt & Whitney's corporate requirements and still be acceptable to the County:

1. Employment Disclosure
2. Drug Free Workplace
3. Disability Nondiscrimination
4. Code of Business Ethics
5. Arrearage of Bidder
6. Family Leave
7. Living Wage

The modification to these affidavits is the addition of a preface for each affidavit with the following statement:

"To the extent that Pratt & Whitney Canada Corp. (P&WC) performs any services within the Miami-Dade County"

This modification language means that these requirements would only apply in situations where Pratt and Whitney staff performs service in Miami-Dade County. Additionally, County vendors are required to sign the Affirmative Action Plan/Procurement Policy and a Debarment Disclosure Affidavits. Pratt & Whitney has not agreed to sign the Affirmative Action Plan/Procurement Policy Affidavit. The Debarment Disclosure Affidavit was modified by the company stating "...confirm that none of this firms officers, principals, or stockholders are debarred by Miami-Dade County." In order to award this contract, Board approval to waive these affidavits is needed.

The remaining three affidavits (Ownership Disclosure, Collection of Taxes Fees & Parking Tickets and Domestic Leave) are acceptable to the County as modified. The Ownership Disclosure does not apply to Pratt and Whitney because of the way in which their corporation was assembled according to Canadian law. "To the best of their knowledge..." was added to the Collection of Taxes and Fees & Parking Tickets affidavit. "To the extent that Pratt & Whitney Canada Corp. (P&WC) performs any services within the Miami-Dade County..." was also added to the Domestic Leave Affidavit.

The Warranty and Support Program provided under this contract provides original equipment manufacturer parts for scheduled and unscheduled maintenance at a fixed rate per hour of operation. Non-engine aircraft components are covered under a separate contract, Genuine Bell Parts Support Plan (SS7640-3/24). All parts and maintenance provided under this Program are in accordance with the Pratt & Whitney maintenance manuals, and in accordance with Federal Aviation Administration regulations. The warranty coverage is critical to MDRF Air Rescue operations as it eliminates the risk of expensive unscheduled maintenance and significantly decreases aircraft downtime. The contract also allows MDRF to effectively budget yearly maintenance expenditures based on projected hours of operation.

MDRF's request for \$1.5 million increase in contract allocation is to cover the cost of adding one helicopter to fleet and for enhanced maintenance services. These enhancements include

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replacement of helicopter engines with new, instead of refurbished engines, at the end of the useful operating life of these engines.


Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 21, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(O)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

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RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE WAIVER OF FORMAL
BID PROCEDURES FOR THE PURCHASE OF A SUPPORT
PLAN FOR EMERGENCY AIR RESCUE HELICOPTERS AND
WAIVER OF COUNTY AFFIDAVITS AND TO AUTHORIZE
THE COUNTY MANAGER TO AWARD THE CONTRACT TO
PRATT AND WHITNEY CANADA AND THE AUTHORITY
TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED
THEREUNDER

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, the County Manager recommends to this Board to waive formal bid procedures for the purchase of a Support Plan for emergency air rescue helicopters and to award the contract to Pratt and Whitney Canada,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board finds it is in the best interests of Miami-Dade County to waive formal bid procedures for the purchase of a Support Plan for emergency air rescue helicopters, waive the County's vendor registration affidavits and to authorize the County Manager to award the contract to Pratt and Whitney Canada and the authority to exercise options-to-renew established thereunder pursuant to Section 4.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code by a two-thirds (2/3s) vote of the Board members present.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Audrey M. Edmonson
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Jose "Pepe" Diaz
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of February, 2006. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

HB

Hugo Benitez